A
12-4
5-2-1947
A HC
5.2.47

File No. 275.I
1894

Collection No. 9.

Mysore Residency

Pros. Serial Nos. 134-136.
154-159, 168-170, 178-9,
184, 186-
191, 193-189

Subject.

Further amendments to the rules for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs.

Previous References.

Later References.

S. 97. (Blue).

DCFP—162S&P—(G-276)—9-7-29—50,000.

B. P. B.—9·1938.—2,020.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1914

8.134

Letter No. 646 *dated* 11 February 1910

from the Collector, C & M Stations.

SUBJECT.

Revision of the rules for the grant of licenses for the sale of spirits etc, in the C & M Stations.

The revision of the rules proposed in the Collector's letter of the 11 Feb: 1910 is necessitated by the orders of the Govt of India contained in Finance Dept: letters No: 4126 Exc & 233 Exc of the 17 Sept: 1909 & 19 January 1910 respecting, & may, if approved, be sanctioned.

Two drafts are submitted for approval.

A.27 & 30 file 497 of 1905

Refer to Govt. Sanction to issue further letter

H.S. 19/2/10

19/2/10

Any reasons?

H.G. 22/2

Rest

J.W.S. 23/2

Issued No: of 25/2/10

Letter to Collector Issued No 1250 dt 25/2/10

Letter to S.P.J. Amritsar Issued No 1251 dt 25/2/10

8(3)

8(3)

8(6)

R. P. B.—8-1910.—1,000.

File No. 275 of 1894

A 154

RESIDENT'S OFFICE.

Note Sheet.

Letter No. 170 dated 12th April 1910
from the Collector & Dist. Magte., Chittagong Hills

SUBJECT.

Amendment of Toddy licensing system in the Chittagong Hills

The addition of rapi flowers to toddy was brought to notice in connection with one of the matters to which allusion was made in Mr. Richard's letter No. 1079 dated the 10th March 1910 in which a report was made regarding the sale of toddy trade in the Chittagong Hills.

A.24. File 48/109

2. As stated in para 4 of the Collector's letter of the 12th April 1910, the word "manufacture" is not defined in Excise Act, XII of 1896 which is applied to the Chittagong Hills, but this omission does not prejudice the punishment of the offence of making toddy fermented liquor by addition of some substance or others in the Chittagong Hills under the law at present in force there — 'fermented liquor means fermented

A.154 File 275/1894

turi

5

tari (Section 3 (1)(h) of Excise Act XII of 1896).

Under sec: 5, no person shall manufacture fermented liquor except under a license, & any person who does so, is liable to imprisonment extending to 4 months or to fine extending to 1000 rupees or with both (sec: 45 (1)).

There seems to be no need to require to as contemplated in proviso 4 of the Collector's letter section 52 of the Act, if it can be satisfactorily proved that toddy has been made* into fermented ~~toddy~~ tari by adding some substance, without a license, the person concerned is liable to be prosecuted under section 45 (1). In this view, it is not probably necessary, ~~to have no necessity~~, to amend section 2 of the toddy license in the manner proposed in the Collector's letter.

Submitted for favour of orders.

N.S.
21/4/10

3 As indicated in para 2, manufacture of fermented liquor by addition of some substance is an offence punishable under Sec 45 (1) of the Excise Act, XII of 1896. Rule 21 of the draft conditions prepared by the

* by natural or artificial process - Vide definition of "manufacture" in sec: 3 (38) of Abkari Act.

Margin for binding not to be written on.

Margin for binding not to be written on.

collector provides also for dealing with cases of "increasing the bulk, or adding to the actual or apparent intoxicating quality, or the body" This can apparently be done only by altering the condition as regards the collector's bottle. The collector's proposal may be approved.

22/4/11 4- Sec 45 (1) appears to be insufficient. As proposed in para 3, the wording to be as therein given.? (as below line in Cross)

Clerk

Init. 25/4

Put up in Bangalore

Init 25/4

Subj.

Init. 28/4

5- Collector proposed additions to the license cover three separate cases

(1) having any substance with body so as to increase the bulk.

(2) Do do not increase the fermenting power

(3) do do not increase the actual or apparent intoxicating quality of the food.

No 6 (1) is it possible in India to dilute toddy with water? Do do not the case of toddy (as of arrack) guarantee that it is of any particular alcoholic strength? Mr Vlekken in his evidence the practice should refer to the recent report by Mr Tutin on the strength of unfermented toddy in Bengal (Govt Office has it)

No 6 (2) & (3) I do not understand what is meant by the "apparent" intoxicating

Margin for binding not to be written on.

Margin for binding not to be written on.

Notes—*continued.*

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE
4 MAY 1919
C. & M. STATION

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE
7 MAY 1919
C. & M. STATION

8

Quantity of any liquor.

to the actual intoxicating quality. does not the depend upon the amount of alcohol in the liquor - the amount of alcohol depend mainly upon the degree of fermentation? If so, (2) & (3) appear to the same thing i the addition of any substance to increase fermentation is already punishable under sec. 456 of the Excise Act. Could Local Govt not bring this fact to/o & note on the above points.

Sd/- F
29/4

No. 2665 J/2-5-10.
Forwarded to the Collr Commr. Station c/o accordingly

Sd/- 2/5.

P.T.O.

734/2.6.10.

(7)

Reply

Margin for binding not to be written on.

1. Is it elsewhere in India an offence to dilute toddy with water?

In reference to dilution of liquor, the Board of Revenue, Madras, (Separate Revenue), wrote: — "The sale of diluted liquor is not an offence per se, but becomes so only where there is a provision in the licence forbidding it." — — —

Proceedings No. 159 3.5.89 (Untraceable here)

(ii) Madras condition 6, of the 'General conditions applicable to all Abkari and Opium licences' directs that: — "Nothing shall be added to them (ie liquor, opium and intoxicating drugs sold or kept for sale), either to increase their intoxicating power or for any other purpose" —

Notification No. 2 24.1.10 printed in the Supplement to Part II of the Fort St George Gazette 25.1.10. A

(iii) Mysore condition 6, of the General conditions applicable to all Abkari and Opium licences' is similarly worded.

Notification No. 7993 23.12.10. Flag B.

my light dt 21/4/1910 Part-II pgs 455-470

2. We do not in the case of toddy, ~~guarantee~~ (as of arrack) guarantee that it is of any particular alcoholic strength.

Condition 4 (v) Recently notification requires all liquor kept for sale to be of "good quality". Toddy diluted with water cannot be regarded as of good quality. We do not, however, guarantee that it shall be of any particular strength. Such a guarantee would be impossible as Mr. Jenks in the "Report on the Alcoholic

Notification No. 55 11.7.08.

(82 of 1875) 54/

Margin for binding not to be written on.

Strength and acidity of Jain" clearly shows.

The object of the proposed addition to condition 2 of the Ctn Station toddy licence is was to make it an offence to add water for the purpose of increasing the bulk, and of materials to replace the intoxicating power which the addition of water has lessened.

Notification No. 55 11. 7. 08

(N 839/25/54

The addition to condition 2, Form 2, toddy shop Licence, was drawn up in alternative form for selection of the better rendering. Instead of adding to condition 2 of Form 2, it would, I think, be better to follow ~~the~~ Madras and Mysore; and enlarge condition 4(v) of Rs 100 notification No. 55 dated 11. 7. 08, by reproducing condition 6 (Madras) with the following modifications:—

(a) omit the words "depots and"

(b) for (vide condition 25 infra) read (vide condition 4(iv) supra)

(c) omit "all Collectors and Deputy and Assistant Commissioners of the Salt Abkari and Customs Department are" and substitute "the Superintendent of Excise is"

"its

un

and

11

I venture to suggest the desirability of furnishing the library of the Superintendent of Excise with a copy of Mr. R. L. Jenk's Report on the Alcoholic Strength and Acidity of Fresh Sari and Fermented Sari; and also with a copy of Major Bedford's Report to the Government of India regarding the Standard of Beer.

H. E. Sherwood
S. E. 2. 6. 10

H.2936 in R.O. File No. 275 of 1894.

(8) Submitted.

The Supdt. of Excise has dealt with the points raised in detail.

The word "apparent" was taken from Sec 57(a) of the Madras Abkari Act (I of 1886). * Su

I suggest that a copy of Mr Jenk's report may be supplied to this Office.

20/6/10

4.6.10

Margin for binding not to be written on.

Notes—continued.

9. As proposed in para
A. in the Sheriman
Simplex.
Lt. 26/6

Rest'd

10. I agree.
As to the book
please state the
cannot do the dir

11. As proposed. Office
Will advise orders re
Lt. 28/6

12. Draft notification is submitted
the amendment referred to in Col
N. 1769 dated the 16th April 1910 (+
in abeyance pending the proposal y the
has been included in the draft no
letter to the Govt. y India is also
appended.

D. 155

13. Books on Persian matters a
by the Residency for the Persian Depart
Mr. Sherman wants a copy each
Jenkins + Major Westford + Mr. Fiel
former. Draft applying for these
Lt.
29/6/10.

Page 8 y Notes.

Draft

29/6/10

Rest

30

Issued

R. P. B.—3-1910.—1,000

5:1563-158

B. P. B.—4-1910.—3,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1874

8l.159

Letter No. 3070 *dated* 22?
from the Collector, C & M Station

SUBJECT.

Revision of certain Excise

A.156

A.159

At the instance of the Coll
the Excise rules of the C & M Stat
revised on 5: July 1910, & un
of certain licenses from one
Collector's letter of 22?-June 1910
required, the matter may be
when any further revision of th
necessary. The Collector ought
consulted d.o., & he may
to forward copies of the licens
use in the Madras Presid
not available here.

H.S.
8/7/'10

8/26.

C The rules have been revi
on different occasions
were promulgated in July

No. 4139 of 11-7-10.

Forwarded to Mr Coles Commissioner for favour of further remarks as to the urgency for this change or otherwise as the case may be. If he considers the matter urgent he might kindly supply copies of the Madras forms.

Mg. 9/7

No 3882 of 11-8-10. Encl: 1

Resubmitted.

We will suffice if the Amendment No Sub-Ja 55 of 11.7.08 be brought into force before April 1st next year 1911.

The Madras form is an improvement on present forms in several ways; I append a note of Mr Thurnam showing the advantages in tabular form.

H Richards

9.8.10

N.B. Copies of the Madras forms are attached to my letter of 22nd June.

OFFICE OF THE

Points of difference between.

Cocaine etc., license forms recommended in Collector's No. 3070 dated 22/28th June 1910.	Forms 14, 15, 18, 19, 20, 21 - printed in Notification - No. 55, dated 11th July 1908.
there will be only two	1. Instead of six separate licenses
there will be separate licenses (a) to Chemists, Druggists and -- Medical practitioners <u>for sale</u> of any of the six drugs & derivatives. (b) <u>possession</u> by Medical Practitioners for use in the exercise of their profession.	2. Instead of one form of license common to <u>possession and sale</u>
there will be no limit in regard to (a) <u>possession for sale</u> and (b) <u>possession for use in the exercise of profession</u> is limited to half an ounce.	3. Instead of possession limited to three ounces.
4. Certain <u>bona fide</u> medicated articles excepted from the -- restriction imposed on sale except on prescriptions.	
5. Countersignature of Residency Surgeon required in certain instances.	
6., Restrictions as to quantity that may be sold to persons other then licensed persons.	
7. Restriction on repetition of prescriptions. Validity of prescription expires after six months.	

"C O P Y"

H. P. Richards

C o l l e c t o r.

WDS 16/8/10:

16

This may be taken up for consideration
in January 1911.

hlg. 13/8

D
13/8/11

R. P. B.—4-1910.—3,000.

9

RESIDENT'S OFFICE.

Note Sheet.

File No. 275 of 1894

168

Letter No. 5130 dated 3: November 1910
from the Collector, C & M Station

SUBJECT.

Amendment in bottling license

A.122

Certain amendments in bottling licenses were proposed in August 1909, but the Collector forwarded the Residency with the views of the Abkari Dy. Commr. Trichinopoly, on the subject. These views the Collector has not yet been able to obtain in spite of repeated reminders, & makes further inquiries in the matter.

A.168

2. The Abkari Dy Commr, Trichy, has been appointed an Ex-officio Excise Officer in the Fort & Station, his functions being mainly those of inspecting & advising officers. Any proposals made for altering the existing excise arrangements can be referred to him for opinion. If approved, no Amendment can be advanced A-D from this office (that the Dy Commr of Trichy & Sub Abkari & Separate Revenue Inspectors) & asked when the Collector, C & M Station,

Ex. 4. Rec. 312 1904

may

(6

may expect to learn from him into reference
to the correspondence ending with Mr Richard's
A.O. letter No. 14,300 of the 4th March 1910.

H.
3/11/'10.

Geo.
3/11/'10

PBW.
9/11.

Hayter's A.O. letter is submitted for approval.

H.
9/11/'

PBW
9/11/10

One 6864 & 11.11.10

Margin for binding not to be written on.

R. P. B.—4-1910.—3,000.

RESIDENT'S OFFICE.

Note Sheet.

File No. 275/94

Letter No. 688 *dated* 14/17 February 1911

from The Collector, Cuddapah - Bangalore

SUBJECT.

'Amendments in bowling license

In August 1909, the Collector, Cuddapah proposed certain amendments to "Bowling license" - Forms No 13 - issued under the Excise Act. The matter has been pending since then, as the views of Mr. Bennet, Actg. Secy. to Govt. of Madras, whom were invited by the Collector, have not been furnished as yet. (On 25th November 1910, Mr. Bennet said that he would reply within a week)

The Collector now forwards copy of a note issued by the Board of Rev., Madras on the question of overtime fees & requests early orders on his original proposals, adding that Mr. Bennet's

views on the subject have not been received yet.

2 It is understood that Mr Bennett has come to Bangalore and it is probable that the Director will have reminded him on the subject. Further, the Director has in another connection been asked to forward the draft of revised rules under the Excise Act, as in force in the state, embodying all necessary amendments that have already been made & that are considered necessary. As Mr. Bennett's views on the question of Boating License have since been obtained the Govt. may be asked to include the amendments proposed by him in the revised draft.

3 Mr Richards might have consulted Mr Bennett on this matter. It may be asked (now?) to embody the necessary amendments to the existing Boating license form in the draft asked for

VM 23.7.11

Margin for binding not to be written on.

Notes—*continued.*

Margin for binding not to be written on.

Mr Brewery might perhaps have to be consulted with a view to getting our terms for purposes

Mr. Richards.

23/2/11

4 Will you kindly note. You perhaps discussed this with Mr. Bennett.

No. 11897/24-2-11.

MBW 24/2

5 Mr Sherman

In remarks with reference to the comments of Mr Bennett in the letting licences

MBW 25/2/11

No 289

6 In this office letter 498, dated 9/10 May 1909, two matters were ~~were~~ brought under notice in connection with form 13 of rote No 55. The first was that bottling should be restricted to working days and working hours, except on payment of overtime for work done out of working hours and on close holidays. The other was that condition 2 should be revised so as to admit of water being used only for cleaning operations in breaking down spirit to any required strength.

81 12/6

Margin for binding not to be written on.

In regard to the latter Mr. Bennett has accepted the proposed alteration. With regard to the overtime question he has placed nothing on record, but he told me that he was of opinion that the attendance of an officer throughout the process of bottling, seemed to him quite unnecessary; that all that was necessary was that an officer should patrol an appearance at any time while bottling was in progress to see that conditions were being complied with. If this view is accepted the question of overtime fees may be dropped.

H. Sherman
28.2.11

Submitted
J. Richards
14.3.11

Rest

1 The question may be decided on the above lines. Please see Mr. R's letter of 7 May 9. Sec. 122 & enclosure from Mr. Shannon.

The proposals are that:-

(1) Condition II of form 13 Sh. be altered as follows:- 7 May 8:

Omit the words "after such notice" & after "bottling" add "provided

Notes—continued

Margin for binding not to be written on

that breaks may be added for drawing
Spirit to stand up straight."
Mr. Bennett has agreed to this & it may
be approved.

The 2nd proposal was to introduce
fixed hours for betting & change the
present time. This could be dealt with in Mr
Stephens' note marking ^ at the end & may be dropped
in accordance with Mr B's suggestion.
It seems quite unnecessary that an officer
should be present at what time that
betting is going on. Surprise visits
should be a quite sufficient check.

Fra Lewis.
MBW.
14/3.

Approved
[signature]

No. 1176 of 22.3.11.
Wired to Mr Mitchell
Letter following
Sent 23.3.11.

The Collector may, ~~as suggested in para 3~~ of these notes, be asked not to embody the above
amendment in the ~~revised Excise Rules~~ draft Rules for amending the
Excise Rules called for in Mr
Wyatt's letter No 5176 of 2 Feb 11
18/3/11 [illegible] Please. MBW 20/3

S. 2.—R. P. B.—10-1910.—3,000.

[illegible] 18/3/11

n.o. 1693 8720-3-11

Margin for binding not to be written on.

A.186

A.1918 183

A. O letter A. 1347 of 4: April 1911 from the Collector, Customs Station, Bangalore.

A draft notification amending the Excise rules in accordance with the proposals contained in Collector's letter No. 1137 & 1196 of the 20th & 22nd March 1911 respecting is submitted for approval. Rule 2 (a) of the existing rules has become unnecessary under the revision now made in the form of certain licenses, & this rule has been omitted in the revised rules. The fee for the license of the shops granted to the Subordinate under the Military Canteen Terminal system has been fixed down in the rules at Rs 24/- or Rs 12/- while the Collector has fixed it down at Rs 24/ Rs 1/

In para 2 of the Collector's letter A. 1137 of 20th March 1911, it is learned that the whole of the rules may be reprinted as considerable amendments have been made. It is perhaps unnecessary to ~~have~~ publish a fresh notification giving revised rules, but the rules, as revised, may be printed when the Press can conveniently take up the work, & the Collector supplied with copies thereof.

~~If considered advisable the draft notification~~
~~may be sent to the Collector for criticism~~

A.
24/4/11.

Sent for press
to print
11/4/11

S. 2.—R. P. B.—10-1910.—3,000.

Proof
4/11

Issue draft as long as possible. Press can take up

Mr. Greyburn
Jt. Secy
PWD
11/4

[Original in file 255/1901]

Ex 255/14

File No.

R. P. B.—4-1910.—3,000.

RESIDENT'S OFFICE.

Note Sheet.

Letter No. *dated*

from

SUBJECT.

Excise matter.

J. A R's orders in file 255/1901 in the office note on serials 130-133.

5). In future, before sending up notifications to Govt. it would be better to obtain Mr J's advice d.o. as they are invariably sent to him for comment and reach him rather late for making any but important changes.

Sdy P.B.W 1/5.

The procedure indicated in 5) will be adopted in future. A note will be made in the file concerned for guidance.

Sdy AS 1/5. Sdy N-S.J 1/5. Sdy P.B.W 2/5.

R. P. B.—4.1910.—3,000.

RESIDENT'S OFFICE.

Note Sheet.

File No.

Letter No. *dated*

from

SUBJECT.

Distribution of spare copies of Notifn no 23, dt 26 April 1911, amending Excise Rules

20 copies of the Residency notifn no 23, dt 26th April 1911, amending the Excise rules of the Cts. of Bangalore may be sent to the Govt. of India, Dept. of Commerce & Industry. & 3 copies of the Insp. Genl. of Excise & Salt in India.

2 drafts are subd for approval.

Issue. There is a *misprint in amendment to Rule I. Cantcheonaind Wd appear to be correct.

MM 6-5-11

H. 4/5.

MMB 5/5

Issued No 2742-43 dt 6/5/1911

81 188-189

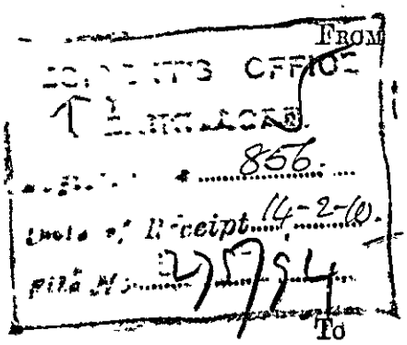
12/16

R. P. B.—9-09.—300.

No. 646 Ene: 1.

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

Dated 11th February 1910.



T. B. Copeland, Esq., I. C. S.,
Offg. COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

Major W. G. Grey, I.A.,
~~THE~~ FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

I have the honor to acknowledge the receipt of a copy of the letters from the Government of India in the Finance Department noted in the margin, forwarded with your office endorsement No4695 dated the 30th August 1909 and No.613 dated the 2nd -- February 1910 regarding the sale of liquor to Camp followers, policemen, Excise officers and railway servants when on duty.

2. The amendments have been duly noted, and I beg to submit -- herewith a draft notification, for favour of tha approval of the Honourable the Resident, proposing the amendments thus necessitated in the rules relating to the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore.

I have the honor to be,
Sir,
Your most obedient servant,

T. Copeland 11

Offg. Collector.

D R A F T.

THE HONOURABLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No.

Dated Bangalore 1910.

The Honourable the Resident is pleased to direct that the following amendments be made in the rules issued with his Notification No. 55 dated the 11th July 1908 as subsequently amended by the Notifications specified in the margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore.

No.68 dated 16th November 1908
No78 dated 22nd December 1908
No.22 dated 18th March 1909
No40 dated 24th May 1909
No49 dated 3rd July 1909

---:OoO:---

For the existing rules 6(vi)(2) and (3) substitute the following:-

(2) Persons whom a vendor knows, or has reason to believe to be Camp followers,i.e., all classes of followers (other than private servants) whether on or off duty, who have a right to be in Cantonemnt.

(3) Policemen, Excise officers and Railway servants, when on duty.

At the end of Rule 6(vi) add:-

"The restriction contained in (1) and (2) above do not apply to Native soldiers, their families, and followers when they are absent on leave from their regiments".

&&&&&&&&&&&&&&&&&&&&

T. C. [illegible]
11/2

Offg. Collector.

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 17, dated Bangalore, the 25th February 1910.

The Resident is pleased to direct that the following amendments be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the *Notifications specified in the margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

*No. 68, dated the 16th Nov. 1908
„ 78, dated the 22nd Dec. 1908.
„ 22, dated the 18th March 1909.
„ 40, dated the 24th May 1909.
„ 49, dated the 3rd July 1909.

For the existing rules 6 (vi) (2) and (3), substitute the following :—

(2) Persons whom a vendor knows, or has reason to believe, to be camp followers, *i. e.*, all classes of followers (other than private servants) whether on or off duty, who have a right to be in Cantonments.

(3) Policemen, Excise officers and Railway servants, when on duty.

At the end of rule 6 (vi), add the words "The restriction contained in (1) and (2) above do not apply to native soldiers, their families and followers when they are absent on leave from their regiments."

W. G. GREY, MAJOR,
First Assistant to the Resident.

R. P. B.—2-1910.—300.

R. P. B.—1-1910.—1,030.

RESIDENT'S OFFICE. 126

Serial No.

File No. 275/14

[DRAFT.]—For approval.

From

The Hon'ble Mr. S. M. Fraser, C.S.I.,
~~Major W. G. Grey, I.A.,~~
~~1st Assistant to the~~ Resident in Mysore.

To

The Secretary to the Govt. of India,
Finance Department

Sir,

In continuation of this office letter No. 4496 dated the 8th July 1909, I have the honour to forward herewith 20 copies of the Residency Notification No. 17 dated the 25th February 1910 regarding certain amendments in the Excise Rules of the Cantonment of Bangalore published with Notification No. 55 dated the 11th July 1908, as amended by subsequent notifications.

I have, etc.,
(Sd.) S. M. Fraser
19/2/10 Resident.

No 1251 Fee: 2
8 28/4/10

S. 115

No 135 Subscription for
Gazette
Notification in

S. 83

Receipt
Fee
28/5/10

H. 18/2/10

154

13/109

R. P. B.—9-09.—300.

No. 1700

OFFICE OF THE COLLECTOR,

CIVIL AND MILITARY STATION, BANGALORE.

Dated 12th April 1910

20/4/10
From
RESIDENT'S OFFICE
No. 2165
Date of Receipt 14-4-10
No. 275/1894
To

F. J. Richards, Esq., I. C. S.,
COLLECTOR, & DISTRICT MAGISTRATE,
CIVIL AND MILITARY STATION,
BANGALORE.

Major. W. G. Grey. I. A.,
~~THE~~ FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

I have the honour to bring to notice that in October 1908 the licensee of a toddy shop in this Station added ingredients to the toddy on sale, which on analysis by the Board of Revenue, Madras, was said to contain "dry residue" which appeared to consist "largely of Ragi flour". The Board expressed the opinion that "the case falls under the head of manufacture of liquor." On this a prosecution was instituted under Section 5, Act XII of 1896, The Excise Act, 1896; and the accused was charged for manufacturing fermented liquor.

2. In this instance the prosecution contention, that the addition of any substance, (whatever the reason), amounted to manufacture within the meaning of the section, was upheld by the Magistrate, who was probably influenced in this view by the opinion of the Board of Revenue, who, again, probably had in mind the definition of manufacture as given in Act I of 1896, The Madras Abkari Act 1886. (Section 3 (18))

3. Since that case, the practice of adding water for the purpose of increasing the bulk quantity, and other materials to

produce

produce fermentation and add to the intoxicating quality of the liquor, has not, it is suspected, been discontinued, and a sample, submitted to analysis at the instance of the Excise Commissioner in Mysore lends support to the suspicion. The samples were pronounced by the Chemical Examiner to the Government in Mysore to "contain an albuminous substance characteristic of the 'Ippe' flower." He went on to say - "The addition of 'Ippe' increases the fermenting power of toddy. The flowers of 'Ippe', are said to be 'nutritive tonic and demulcent,' and no deleterious properties, apart from their intoxicating effect, have been attributed to them."

4. As Act XII of 1896 contains no definition of 'manufacture' it seems desirable to place the matter beyond doubt or question to make it an offence punishable by section 52. I accordingly request that the Hon'ble the Resident may be pleased to direct that condition 2 of the toddy license (Form 2) printed in Notification No. 55, dated 11th July 1908 be rewritten:-

"

The licensee shall not keep in the shop or sell toddy unfit for consumption. Neither shall the licensee mix any substance whatever with the toddy so as to increase the bulk or ... ... add to the actual or apparent intoxicating quality of the toddy. Toddy unfit for consumption may be removed for vinegar under a permit which may be granted by the Superintendent of Excise, or be destroyed in the presence of an Excise Officer. It shall rest with the Superintendent of Excise to decide as to whether the toddy is fit for consumption as toddy or not."

I have the honour to be,

Sir,

Your most obedient servant,

H. Richards

Collector & District Magistrate.

M.D.S.
12/11/10.

155

R. P. B.—9-09.—300.

No. 1769 Enc: 2.

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.
Dated 16th April 1910.

FROM
RESIDENT'S OFFICE,
BANGALORE.
Register No. 2234
Date of Receipt 19-4-1910
File No. 275/94

E. J. Richards, Esq., I. C. S.;
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To
Major. W. G. Grey. I. A.,
~~The~~ FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

With reference to the Excise Rules issued under the Hon'ble the Resident's Notification No. 55 dated the 11th July 1908, I have the honour to forward herewith copy of Mr. Sherman' letter No. 1212 dated the 12th December 1909, together with a draft amendment proposed to be issued to rule 4 restricting the possession of liquor intoxicating drugs to licensed premises only, and to request the favour of issue of the necessary notification at an early date.

I have the honour to be,
Sir,
Your most obedient servant,
J. Richards
Collector.

The proposal may, if approved, be accepted.
~~For this would be approved.~~

H.
23/4/10

To amend & return
Y file 275 (unsettled)
1834

MDG.
15/4/10.

28/4/10.

Confidential letter No. 1212, dated 13th December 1909 from the Superintendent of Excise Civil and Military Station, Bangalore to the Collector Civil and Military Station, Bangalore

---

I have the honor to recommend that addition be made to notification No. 55, dated 11-7-08 in the manner drafted below at a very early date, as I have information that liquor is kept for illicit purposes by a licensee at a place other than the licensed premises.

2. A similar difficulty arose in Madras out of the High Court decision in criminal revision case No. 207 of 1887, where it was held that the possession of liquor by a person licensed to vend the same at a place other than the licensed premises was not an offence. The question of introducing a condition in the license limiting the vendor's right of possession of illicit liquor to the place of sale specified in the license was referred by the Government of Madras to the Hon'ble the Advocate General, and was pronounced by him as perfectly legal. The same argument (of which I regret I have only a short note) applies here. The restriction to specified premises would be warranted by section 21, and would not be ultravires as limiting the effect of section 30, Act XII of 1896.

3. I propose the following addition to Notification No. 55, dated 11-7-08:---

Rule 4. for sub rule (i) substitute "The possession and sale of licit liquor intoxixating drugs shall be limited to, and made in the building specified in the license granted and not elsewhere on any pretext whatever".

"True copy".

Collector.

M209.
15/4/10.

THE HON'BLE THE REISDENT in MYSORE.

N O T I F I C A T I O N.

-----oOo-----

No. Datéd Bangalore 1910.

The Hon'ble the Resident is pleased to direct that the following amendment be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the Notifications -- specified in the margin for the grant of licenses for the sale of spirits, fermented liquors and - intoxicating drugs in the Civil - and Military Station of Bangalore:

No. 68	Dated	16-11-1908.
" 78	-do-	22-12-1908.
" 22	-do-	18- 3-1909.
" 40	-do-	24- 5-1909.
" 49	-do-	3- 7-1909.
" 17	-do-	25- 2-1910.

For the existing rule 4 (1) substitute the following:

(1) The possession and sale of licit liquor intoxicating drugs shall be limited to, and made in the building specified in the license granted and not elsewhere on any pretext whatever

First Assistant Resident

"D R A F T".

Collector.

15/4/10

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 61, dated Bangalore, the 5th July, 1910.

The Resident is pleased to direct that the following amendments be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the Notifications* specified in the margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

*No. 68, dated the 16th November 1908.
" 78, dated the 22nd December 1908.
" 22, dated the 18th March 1909.
" 40, dated the 24th May 1909.
" 49, dated the 3rd July, 1909.
" 17, dated the 25th February 1910
" 28, dated the 8th March 1910.

For the existing rule 4 (i), substitute the following :—

"1. The possession or sale of licit liquor / intoxicating drugs shall be limited to, and made in, the building specified in the license granted and not elsewhere on any pretext whatever".

For the existing rule 4 (v), substitute the following :—

"All liquor / intoxicating drugs sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to liquor either to increase / intoxicating drugs either to increase their intoxicating power or for any other purpose / their intoxicating power or for any other purpose except their manufacture in accordance with the terms of a license. All officers authorised to inspect shops (*vide* condition 4 (iv) *supra*) are authorised to detain any liquor / intoxicating drug found unfit for consumption or use or which they may believe to have been tampered with, and the Superintendent of Excise is empowered to destroy such as are found unfit for consumption or use."

"By Order,"

W. G. Langmaid
First Assistant to the Resident.

To—The Publisher, Gazette of India, for publication in Part II of the Gazette.

No 4865/A7-8/10 Copy of the foregoing notification is forwarded to the Collector, Civil & Military Station, Bangalore, for information with reference to his letter Nos 1710 & 1769 dated the 12th & 16th April 1910 respectively.

B. P. B.—7-1910—200.

R. P. B.—3-1916.—1,000.

RESIDENT'S OFFICE.

Serial No. 15

File No. 475 '94

[DRAFT.]—For approval.

From The Hon'ble Mr. S. McLean, C.S.I.,
~~MAJOR W. G. GREY, I.A.,~~
~~1st Assistant to the~~ Resident in Mysore.

To

The Secretary to the Govt of India,
Finance Department.

Sir,

In continuation of this office letter No. 1510 dated the 11th March 1910, I have the honour to forward herewith 20 copies of the Residency Notification No. 61 dated the 5th April 1910, amending the Excise rules of the Coorg Station of Kongalore.

I have, etc.,

(Sd) S. McLean

Resident.

No 4067 Fin. 20
dy 7.7.910

A. 143
wrapper up

+ with the files in

29/6/10

29/6

Kell 2/7

R. P. B.—5-1910.—3,000.

RESIDENT'S OFFICE.

158

Serial No.

File No. 275/94

[DRAFT.]—For approval.

From The Hon'ble Mr. S. Hamilton Grant, C.I.E.,
MAJOR W. G. GREY, I.A.,

1st ~~Assistant to the~~ Resident in Mysore.

To

The Secretary to the Govt. of India,
Finance Department

Sir,

I have the honour to request that, if there be no objection, this Residency may be supplied with 3 copies of Mr. Jenk's Report on the alcoholic strength & acidity of fresh Toni & fermented Toni &
~~2 copies~~ 2 copies of Major Bedford's Report regarding the Standard of Beer, for the use of the Excise Dept. of the Cantonment Station of Bangalore.

I have, etc,

W.G. 30/6

for Resident.

No 4068 dt 7.7.1910

Mr. Jenks Report

Rch
one copy of each
for ii Resp. Asst.

W
4.7.10

H. 29/6/10

3865

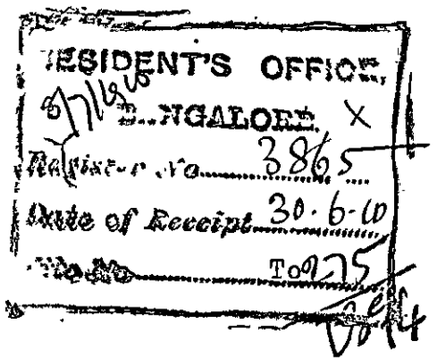
Office of the Collector,

No. 3070 with draft 1st forms.

Civil and Military Station, Bangalore.

Dated 22nd June 1910.
284

From



F. J. Richards, Esq., I. C. S.,
Collector,
Civil & Military Station,
Bangalore.

Major. W. G. Grey, I. A.,
First Assistant to the Hon'ble the Resident
in Mysore.

Sir,

With reference to the correspondence ending with your letter No. 1509 dated the 11th March 1910 imposing restrictions on the sale of cocaine and other allied drugs in the Station, I have the honour to recommend the adoption of the two forms in use in the Madras Presidency in lieu of the forms 14, 15, 18, to 21 appended to the rules contained in the Hon'ble the Resident's Notification No. 55 dated the 11th July 1908 as proposed by the Excise Superintendent.

2. The Residency Surgeon who was consulted in the matter is in favour of the adoption of the Madras forms.

3. Draft license forms are herewith submitted for favour of approval of the Honourable the Resident.

I have the Honour to be,
Sir,
Your most obedient servant,

J. J. Richards
Collector.

168

R. P. B.—9-09.—300.

No. 5133

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

Dated 3rd November 1910.

RESIDENT'S OFFICE,
BANGALORE.
Register No. 6714
Date of Receipt FROM 11-11
File No. 275

F. J. Richards, Esq., I. C. S.,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To

P. B. Warburton Esq., I. C. S.,
THE FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

I have the honour to invite a reference to my --- letter No. 3399 dated the 24th August 1909 regarding the -- amendments proposed to the bottling license and the question of payment of overtime fees and to request the favour of -- early orders in the matter.

2. I may state for the information of the Hon'ble the Resident that it is not possible for me to get an opinion on the subject from Mr. Bennett, the Abkari Deputy Commissioner Madras, as he has not been kind enough to reply in spite of repeated reminders.

I have the honour to be,
Sir,
Your most obedient servant,

Collector.

R. P. B.—6-1910.—200

4/11/10

R. P. B.—9-10-10.—6,000.

169

Serial No.
File No. 275
1914

[DRAFT.]—For approval.

From H. W. Wilmington Esqre I. C.S.
Asst Secy Resident in Mysore.

To

The Secretary
to the Commissioner
of Abkari
Bangalore.

Sir,

With reference to the correspondence ending with your D.O. letter No. 1430 of the 1910 dated 29th June from the Collector of the Civil Station of Bangalore regarding the amendment of the form of bottling license in force in the said Station.

The Resident will be glad to be informed at your early convenience when Mr. Richards may expect to hear from you in the matter.

I am, Sir,
Your obedient Servant,

H. Wilmington Esqre
Asst Secy to Resident in Mysore
Bangalore

Copy to the Secretary to the Commr of Abkari & Superintendent Revenue Bangalore.

No. 6864
11th Nov. 1910

Cash 11/11/10
KLL
10-11-10.

A. 9/11/10

RESIDENCY OFFICE
29/11/10
Rec'd
Date of Report 28/11/10

170

Revenue Board Office
(Separate Revenue),
MADRAS,
25th Nov 1910.

26/11

Dear Mr Warburton.

In answer to yours of the 11th inst. I beg to state that I have today written Mr Richards informing him that the papers referred to in both yours and his letters will be despatched on Monday next.

Yours sincerely.
E. Bennett
Dpy Commr of Abkari.

691/3

Enquiries received.

H.
29/11/10

29/11/10

MBW.
30/11

To be placed in file 275/1894 (original file 154/03) 178

Letter No.1349-1363(Excise), dated the 21st February ---. 1911, from the Under Secretary to the Government of India, Department of Commerce and Industry, to the Hon'ble the Resident in Mysore and Chief Commissioner of Coorg.

*****

In continuation of the circular letter from the Home Department No.743/756, dated the 30th April 1903 (copy enclosed), I am directed to request that three additional copies of all rules and amendments of rules issued in the Civil and Military Station of Bangalore under the Excise Act there in force may, in future, be supplied direct to the Inspector General of Excise and Salt.

&&&&&&&&&&&&

K.M.
6.3.11.

(17 8/a)

Letter No.743-756(Judicial), dated the 30th April 1903, from the Under Secretary to the Government of India, Home Department, to all Local Governments and Administrations.

******

I am directed to state that inconvenience is frequently caused by the omission to supply the Government of India with copies of rules, or amendments of rules, which have been made by local Governments and Administrations, either with or without the sanction of the Government of India, under Acts of the Imperial or Local Legislatures. I am accordingly to request that (with the permission of ~~the Governor in Council.~~ His Honour the Lieutenant Governor) in future 20 copies of all such rules, or amendments of rules, may be supplied to the appropriate Department of the Government of India.

&&&&&&&&&&&&

K.M.
6.3.11.

R. P. B.—4-05—500

No. 688 Exe one

OFFICE OF THE COLLECTOR,

CIVIL AND MILITARY STATION, BANGALORE.

Dated 14th February 1910.

A copy of the Board's Rev. Proceedings.

FROM F. J. Richards, Esq., I. C. S.,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

To P. B. Warburton, Esquire, I.C.S.,
THE FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

Ar. 168 With reference to the correspondence ending with my letter No.5133 dated 3rd/4th November 1910, regarding the question of overtime fees, I have the honor to forward herewith a copy of the Board of Revenue, Proceedings No. - 279/627-R., Disty., dated 23rd December 1910, on the subject , and to request the favour of early orders.

2 — Mr. Bennett's views on the subject have not yet been received.

I have the honor to be,

Sir,

Your most obedient servant,

Collector.

14/2/11.

R. P. B.—6-1910.—200.

PROCEEDINGS OF THE BOARD OF REVENUE

(Separate Revenue).

The Hon'ble Mr. T. Twigg, I.C.S.,

Acting First Member, Board of Revenue, and Commissioner of Salt, Abkari and Separate Revenue.

Dirty

RESOLUTION - No.279/627-R., dated 23rd December 1910.

The accompanying notification on the subject of working hours in distilleries and wherehouses and the levy of fees for overtime service rendered by officers attached thereto will be forwarded to the Superintendent, Government Press, for publication in the next issue of the Fort St. George Gazette. It is requested that 20 copies of the Notification may be forwarded to the Board for record.

(True Extract)

Sdy. H. A. B. Veron,
Secretary.

(True Copy)

(Sdy.) M.G.A. Thomson
Assistant Secretary.
30-2-11

To the Superintendent, Government Press, with a notification.

" all Collectors, Deputy Commissioners, Assistant Commissioners and officers in charge of circles.

" all Distillery Inspectors with spare copies to Distillery officers and Wherehouse officers.

" all Distillers.

" the Inspector, Tondiarpet Stores.

Copy to Collector, Civil and Military Station, Bangalore.

Board of Revenue (Sep.Rev.). No.279/627-R.,Disty.,23rd December 1910

NOTIFICATION

No. 20.- In virtue of the powers delegated under clause XIII (8) of Government Notification No. 485, dated 13th July 1896, and under rule 45 of the Distillery and Warehouse Rules published as Government notification No. 454, dated 29th October 1909, on pages 1148 to 1155 of the Fort St. George Gazette, dated 16th November 1909, and in supression of previous rules on the subject, the Commissioner of salt, Abkari and Separate Revenue hereby makes the following rules on the subject of working hours in distilleries and warehouses and the levy of fees for overtime service rendered by ~~the~~ officers attached thereto:-

(i) No overtime shall be chargeable unless the total number of hours worked during the month exceeds the number of working hours in the month calculated at the rate of 8 hours per working day.

(ii) Every claim for overtime should be accompanied by a statement of work done during the month explaining fully how overtime became necessary.

(iii) On every occasion on which an officer charges for more than 8 hours' duty in the 24 or for work on sunday or authorized holiday, a written requisition from the distiller or warehouse keeper must be produced in support of claim. Each requisition should certify that overtime was worked from hour minute to hour minute, and the certificate should be signed jointly by the distiller or the warehouse-keeper, and the officer in charge.

(iv) The holidays to be allowed, exclusive of sundays, are only those notified under the Negotiable Instruments Act. Of these, Sundays, New Year's Days, Good Friday, the King's birthday and Christmas Day are alone to be regarded as close holidays. On the other holidays, the officer in charge should attend for two hours for the conduct of emergent business if required to do so in writing by the distiller or warehouse-keeper. The two hours should be consecutive and no fees should be charged for work done during these hours. If there be no work for full two hours, the officer need not remain at the distillery or warehouse. If, however, he be required at a subsequent period, fresh application must be made and overtime fees claimed. No warehouse or distillery warehouse should be opened on Sundays or official holidays simply for the purpose of gauging and proving liquor already reduced. When warehouses are opened on these days on the requisition of the distiller or warehousekeeper, the work then done, should be only that detailed in the requisition. The actual time occupied in posting up the accounts affected, will also be reckoned towards overtime work.

Each visit whatever may be the time occupied should be regarded as occupying a minimum of half an hour and should be charged as one hour.

(v) The fees to be charged should be as follows:-

1. For the service of officers drawing more than Rs.70 per mensem, when entitled to overtime fees, at the rate of one-eighth of a day's pay for each hour of overtime work.

2. For the service of other officers when entitled to such fees, at the rate of one-fourth of a day's pay for each hour of overtime work.

(vi) The fees thus realised should be brought into the public accounts and paid in full to the officers by whose labour they are earned. The amount should be drawn at the end of the month on bills supported by a certificate signed by the Distillery Inspector of the circle concerned that the charges were for duties falling within the scope of their ordinary duties, but performed on holidays, or out of office hours, for the convenience of distillers or warehouse-keepers, together with a statement showing in detail the dates of payment and amounts of fees paid into the treasury on account of which the claim is made. Bills on the above account should be supported by a certificate from the treasury officer to the effect that the prescribed fees (the amount to be specified) were realised and credited in the treasury account for the month, the particular item in which the credit is included being pointed out.

"Copy"
K. Rangaiyangar
Sheristadar

17/2/11

1.87.

R. P. B.—5-08.—400.

No. 1137 Endorse draft notification

OFFICE OF THE COLLECTOR, 221

CIVIL AND MILITARY STATION, BANGALORE.

Dated 20th March 1911

FROM

H. J. Richards, ESQ., I. C. S.,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

Memo 1760
Dt 28/3/11
Outward 27/3/11

TO P. B. Warburton Esquire, I.C.S.,
~~THE~~ FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

SIR,

With reference to the Excise Rules issued under the Hon'ble the Resident's Notification No. 55 dated the 11th July 1908, I have the honour to forward herewith a draft Notification proposing certain amendments and to request that, if approved, it may be issued at an early date.

2 - I would request in this connection that the rules may be reprinted as several amendments have been made since July 1908.

I have the honour to be,
Sir,
Your most obedient servant,

H. J. Richards
Collector.

R. P. B.—6-1910.—200. M 1013/11

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. ~~61~~, dated Bangalore, the ~~5th July, 1910.~~

The Resident is pleased to direct that the following amendments be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the Notifications* specified in the margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

* No. 68, dated the 16th November 1908.
" 78, dated the 22nd December 1908.
" 22, dated the 18th March 1909.
" 40, dated the 24th May 1909.
" 49, dated the 3rd July, 1909.
" 17, dated the 25th February 1910
" 28, dated the 8th March 1910.
" 61, dated the 5th July 1910.

1 - Rule 1 - In line 10: omit the words "and Country beer brewed in India"; and insert "and" between "Spirits" and "ordinary."

2 - Omit the note defining Country beer.

3 - Insert as sub para to rule 1 the following: -

"Native" beer is beer brewed in India (a) which contains at least two bushels of malt and two pounds of hops per hop head and in the manufacture of which jaggery or cane sugar is employed, (b) which is brewed at a higher original than 1062° on a standard saccharometer and (c) the maximum price of which at the brewery, excluding the duty which may from time to time be prescribed, is Rs: 30/- per hop head.

4 - Rule 2-(4) substitute the word "native" for "Country."

5 - Rule 2 - Cancel (14), (15) and (18) to (21) and substitute the following: -

(14) - License to Chemists and Druggists and Medical practitioners for the sale of Cocaine, Novocaine Eucaine, beta

Beta Eucaine, Beta Eucaine lactate and Holocaine
Fee - Rs: 6/-

15) License to Medical practitioners for the possession of Cocaine, Novocaine, Eucaine, Beta Eucaine, Beta Eucaine lactate and Holocaine, for use in the exercise of their profession. Fee Rs: 6/-

6 - Rule 2 - Add (18) under this rule - special retail license granted to the contractor under the Military "Canteen Tenant" system for the sale of foreign liquor to be consumed on the premises —— Fee Rs: 24/- ~~per~~ for 12.

7 - Rule 3 - (iii) : omit the whole.

8 - Rule 6 - (viii) - page 6 : Omit :-

(a) - Liquor - { Foreign liquor —— 4 drams
Country liquor — 8 drams
Ferment. Country liquor — 8 drams

and insert the following :-

(a) Foreign liquor - 1. Spirit —— 4 drams
2. Fermented liquor - 16 drams.

(b) Country Liquor — 1. Arrack —— 8 drams
2. Toddy or Toddy —— 24 drams.

and correct (b) into (c)

9 - Form 3 - Condition 2. line 4 - Correct Rs: 5/- to Rs: 4/8/-

10 - Form 4 - Omit the word "Country" wherever it occurs and substitute the word "native" and omit condition 1 and renumber (2) and (3) as (1) and (2).

11. Form 5 - Para 2 line 2. after the word "premises" omit the full stop and insert a comma and add "of strengths not below 25° U.P. for Whisky, Brandy and Rum and 35° U.P. for Gin."

12 - Form 6 - Rule 1 - At the end add the following as a new sentence:- "The holders of this license will have the privilege of issuing to licensed holders only samples of liquor in quantities not exceeding one pint."

13 - Form 14 - Cancel this form and substitute the 1st form which accompanied this office letter. No: 3070 dated 28th June 1910.

8. 157

14 -. Form 15 - Cancel this form and substitute the 2nd form which accompanied this office letter no: 3070 dated 28th June 1910.

8. 157

15 - Form 18 - Please insert the form which accompanied this office letter no: 948. dated the 28th February 1910.

8. 144

J. J. Richards

Collector.

Th 20/3/11

No. 1196 Enclose Draft notification

182

OFFICE OF THE COLLECTOR,
CIVIL AND MILITARY STATION, BANGALORE.

Dated, 23rd March 1911.

24/3 2 5/3

FROM

J. Richards, Esq., I. C. S.,
COLLECTOR,
CIVIL AND MILITARY STATION,
BANGALORE.

RESIDENT'S OFFICE, BANGALORE. Regist'd No. 1825 Date of receipt 27/3/11 File No. 2

TO

H. B. Warburton, Esquire, I.C.S.,
THE FIRST ASSISTANT TO THE HONOURABLE THE RESIDENT
IN MYSORE.

24

SIR,

2L 181

In continuation of this office letter No.1137 dated the 20th March 1911, I have the honor to forward herewith a draft notification proposing certain amendments in the -- bottling and cocaine etc licenses appended to the Hon'ble the Resident's Notification No.55 dated the 11th July 1908, and to request that it may be incorporated in the draft Notification submitted with the letter above referred to.

2. These amendments were not included in the first instance, as the Hon'ble the Resident's orders about the bottling license was communicated in your office No.1693 dated the 20th March 1911; and as the Excise Superintendent's proposal for amendment in cocaine etc., license is based on Board of Revenue's Proceedings dated the 11th March 1911.

Pages 5 & 6 Notes.

3. I request that the revised Notification may be issued as early as possible.

I have the honor to be,
Sir,
Your most obedient servant,

J. Richards
Collector.

R. P. B.—6-1910.—200.

T 320/3/11

Draft

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. ~~61~~, dated Bangalore, the ~~5th July, 1910~~.

The Resident is pleased to direct that the following amendments be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the Notifications* specified in the margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

*No. 68, dated the 16th November 1908.
" 78, dated the 22nd December 1908.
" 22, dated the 18th March 1909.
" 40, dated the 24th May 1909.
" 49, dated the 3rd July, 1909.
" 17, dated the 25th February 1910
" 28, dated the 8th March 1910.
" 61, dated the 5th July 1910.

~~For the existing rule 1 (i), substitute the following :—~~

Form 13 Condition 2 Omit the words "other than water" and after "bottling" add "provided that water may be added for reducing spirit to standard strength."

2. Form 14 Condition V - line 1 after "possession" add "or to a person permitted by the Honble the Resident to export them."

3 - Form 14 - Condition VI - line 2 - after "drugs" add "or to a person permitted by the Honble the Resident to export them."

H. Richards
Collector.

21/5/10

R. P. B.—9-1910.—6,000.

Serial No. 184

File No. 275

[DRAFT.]—For approval. 194

From P. B. Wimbush Esqre I.C.S,
Asst Secre to the Govt of Kerala
in Legn

To

F. J. Richards Esqre, I.C.S,
Collector, Malabar & Anjengo

Letter No. 1196 dated 13 March 1941, forwarding a draft notification amending the certain Excise licen[illegible]

With reference to the proceedings of the Madras Board of Revenue referred to in para 2 of your letter.

Yours [illegible]
PKW

No 2963
8/3 April 1941

P.183

T

Lr. 3-4-41

Dft. 30/3/41

30/3/41

186

5/4

D. O. No. 1347 Encore.

Office of the Collector,
Civil and Military Station,
Bangalore, Dated 4th April 19

5E.

RESIDENT'S OFFICE
BANGALORE
Regist. 2083
Date of I 8/4/11
File No. 275
1894

My dear Warburton

R 184

Your D/O No. 2049 dated 3rd April 1911.

I herewith send a copy of the Proceedings of the Madras Board of Revenue therein asked for.

Yours sincerely
J. P. Thomas

To

P. B. Warburton, Esq., I.C.S.
First Assistant Resident.,

9 R 4/4/11.

Proceedings of the Board of Revenue,
Separate Revenue, Madras.

R. No: 301 Abkari Dated 11th March 1911.

The Honble Mr. J. Twigg,
Ag: 1st. member, Board of Revenue and
Commissioner of Sall; Abkari and separate Revenue.

Read the following:-

Petition from Messrs: W. E. Smith & Co, Madras
No: 2401/9. H.K. dated 11th January 1911

Resolution.

Conditions V and VI of the L. D. 25 license contain no provision for the sale of Cocaine, in cases where it is intended for export to Native States, French Settlements or other Provinces or by sea.

In view of the difficulties to which the licensees are put in the absence of such a provision. The Board has decided to amend the first part of conditions V and VI as follows:-

"V. That except to a person licensed to sell or possess it, or to a person permitted by the Collector to export it; he shall sell - - - -

"VI. That except to a person licensed to sell or to possess the drugs or to a person permitted

by

by the Collector to export them, he shall not sell - - - - - - - - - - - - - - - - - -

2. Under the proviso to section 7 of the Abkari Act I of 1886, and with reference to clause IV of Government Notification No. 485 dated 13th July 1896, all Collectors of Districts are hereby authorised to Grant permits for export of Cocaine tea from 1st April 1911. They are requested to keep the Board informed of all such exports.

(True Extract)

Sd/ R. G. A. Thomson
13/3/11
Assistant Secretary.

To
All Collectors and Divisional officers.
Deputy & Assistant Commissioner and officers in charge of Circles; Excise Inspector for Railways. Copy to the Collector of Civil and Military Station, Bangalore.
Messrs: Smith & Co. Madras.

Copy

W. Narayanaya
Sheristadar,
Collector's office,
C & M. Station, Bangalore

MDS
4/4/11.

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No. 23, dated Bangalore, the 26th April 1911.

The Resident is pleased to direct that the following amendments be made in the rules issued with his Notification No. 55, dated the 11th July 1908, as subsequently amended by the Notifications* specified in the margin, for the grant of licenses for the sale of spirits, fermented liquors and intoxicating drugs in the Civil and Military Station of Bangalore :—

No. 68, dated the 16th November 1908
" 78, dated the 22nd December 1908.
" 22, dated the 18th March 1909.
" 40, dated the 24th May 1909.
" 49, dated the 3rd July 1909.
" 17, dated the 25th February 1910
" 28, dated the 8th March 1910.
" 61, dated the 5th July 1910

Rule 1. Omit the words "and country beer brewed in India," add the word "and" between the words "caoutchouc" and spirits" and "ordinary arrack."

Insert a clause as follows:—

Native beer is beer brewed in India (a) which contains at least two bushels of malt and two pounds of hops per hogshead and in the manufacture of which jaggery or cane sugar is employed, (b) which is brewed at a higher original than 1062° on a standard saccharometer, and (c) the maximum price of which at the brewery, excluding the duty which may from time to time be prescribed, is Rs. 30 per hogshead.

Rule 2. In item (4), substitute the word "native" for the word "country."

For existing items (14) and (15), substitute the following :—

"14. License to chemists and druggists and medical practitioners for the sale of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate and holocaine—Rs. 6.

"15. License to medical practitioners for the possession of cocain, novocaine, eucaine, beta eucaine, beta eucaine lactate and holocaine for use in the exercise of their profession—Rs. 6.

For existing item (18), substitute the following :—

"18. Special retail license granted to the contractor under the military canteen tenant system for the sale of foreign liquor to be consumed on the premises—Rs. 24 or 12."

Omit items (19), (20) and (21) and also clause 2 (a).

Rule 3. Omit clause (iii).

Rule 6. In sub-clause to clause VIII, for the existing item (a), substitute the following :—

"(a) Foreign liquor	...	1. Spirit—4 drams.
		2. Fermented liquor—16 drams.
(b) Country liquor	...	1. Arrack—8 drams.
		2. Tari or toddy—24 drams."

For letter (b) in the existing item (b) under the same sub-clause, substitute letter (c).

Form (3). Ganja shop license.

In condition 2, for the word and figure "Rs. 5," substitute the word and figures "Rs. 7—8—0."

Form (4). Beer tavern license.

In paragraph 1, substitute the word "native" for the word "country."

Omit condition 1.

In condition 2, substitute the word "native" for the word "country."

For the existing numbers of conditions "(2)" and "(3)," substitute respectively numbers "(1)" and "(2)."

Form (5). Foreign liquor tavern license.

After the word "premises" at the end of the sub-clause to paragraph 1, add the words "of strengths not below 25° U. P. for whisky, brandy and rum and 35° U. P. for gin."

Form (6). Wholesale foreign liquor license.

At the end of paragraph 1, add the following clause:—

"The holders of this license will have the privilege of issuing to licensed holders only samples of liquor in quantities not exceeding one pint."

Form (13) Bottling license.

In condition 2, omit the words "other than water" and after the word "bottling" at the end, add the words "provided that water may be added for reducing spirit to standard strength."

For existing forms *14 and 15*, substitute the forms 14 and 15 appended.

The annexed form of license (special retail license granted to the contractor under the military canteen tenant system) will be added as form 18.

By order,

P B. WARBURTON,
First Assistant Resident.

To
The Publisher, Gazette of India
for publication in Part-II of the Gazette.

No. 2536-S 28. 4. 44
A copy of the foregoing notification is forwarded herewith to the Director, Cottage Industries, Bangalore, for information, with reference to the correspondence ending with his letter No. 1596 of the 25th March 1944.

Sd/ P. B. Warburton,
First Asst. Resident.

X- Mlt 100. S.C.

FORM 14, Fee Rs. 6.

License to Chemists and Druggists and Medical Practitioners for the sale of Cocaine, Novocaine, Eucaine, Beta Eucaine, Beta Eucaine Lactate and Holocaine.

Number of license.

Name of the licensee.

Locality of the premises.

I Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act, 1896 (XII of 1896), as applied to the said Station, hereby license you to possess and sell cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate and holocaine from the date of this license to the 31st day of March 19 , subject to the following conditions :—

Note.—The conditions and restrictions apply to every preparation and admixture of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine.

CONDITIONS.

I. The licensee shall be bound by the provisions of the said Excise Act, 1896, and any general or special rules prescribed or which may from time to time be prescribed thereunder.

II. The licensee shall be bound by the general conditions applicable to all Excise licenses as notified by the Resident in Mysore, from time to time, so far as they concern him and by the following conditions which are special to this license.

III. The licensee shall obtain cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine either by direct importation from a foreign country with the special permission of the Local Government, or from another licensed vendor in India and shall not receive or have in his possession any of these drugs obtained otherwise. The importation of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine by means of the post into British India has been absolutely prohibited.

IV. The licensee shall not keep or sell cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine at any other place than the premises the boundaries of which are specified in the schedule annexed to this license.

V. Except to a person licensed to sell or to possess or to a person authorised by the Resident to export them the licensee shall sell cocaine, novocaine, eucaine; beta eucaine, beta eucaine lactate or holocaine only on the prescriptions of qualified medical practitioners as defined below, or of other medical practitioners if countersigned by the Residency Surgeon. The term "qualified medical practitioner" means all graduates in medicine of the Indian Universities and of all Universities of Europe and America; all medical practitioners (including dentists) eligible for registration in the medical register of Great Britain; and all holders of Military Assistant Surgeons', Civil Apothecaries' or Sub-Assistant Surgeons' diplomas who have been authorised by the Resident in Mysore to prescribe cocaine and preparations of opium. The restriction contained in this condition does not apply to the sale of the following *bona fide* medicated articles :—

1. Tooth-ache drops.
2. Eye lotions containing cocaine and at least 1 grain of sulphate of zinc per ounce.

3. Compound tablets or lozenges :—

Cocaine, chlorate or potash and borax;
Krameria and cocaine;
Menthol, cocaine and red gum;
Benzoin and cocaine; or

4. such other mouth lozenges or tablets as are stated by the makers not to contain more than $\frac{1}{16}$ grain of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine in each lozenge or tablet.

VI. Except to a person licensed to sell or to possess the drugs or to a person permitted by the Resident to export them, the licensee shall not sell at one time, or to one and the same person, in the aggregate on any one day, more than the quantity of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine specified below :—

(i) Where it is required in a dry state, six grains.

(ii) Where it is required in solution, twenty-five grains.

VII. The licensee shall not repeat the sale of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine on a written prescription unless under the written directions of a qualified medical practitioner—not necessarily the same practitioner as originally wrote the prescription.

No such prescription shall remain valid for purposes of sale of the drugs for more than 6 months.

VIII. The licensee shall, on requisition by the Collector or by any officer duly authorised by the Collector, deliver up his license for amendment or for the issue of a fresh license.

IX. The licensee shall maintain correct accounts of all transactions, such accounts to show in respect of each issue the quantity issued, the name and address of the person to whom it is issued and in the case of issues to persons other than those licensed to sell or to possess cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine the name of the medical practitioner on whose prescription it is issued and of the countersigning officer, if any.

X. The licensee shall file in support of his accounts of receipts the customs receipts for duty paid or invoices of supplies obtained otherwise than by import by sea; and in support of his accounts of issues, receipts from the persons to whom the issues are made or copies of the prescriptions on which they are made.

XI. That all stocks of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine and all accounts and records of transactions under this license shall be open to inspection by any officer of the Excise Department not lower in rank than a Sub-Inspector.

Schedule showing the boundaries of the premises

Street and door number or other particulars	Bounded on the				Remarks
	North by—	East by—	South by—	West by—	

Dated the day of 19·

Collector.

FORM 15. FEE Rs. 6.

License to Medical Practitioners for the possession of Cocaine, Novocaine, Eucaine, Beta Eucaine, Beta Eucaine Lactate and Holocaine, for use in the exercise of their profession.

Number of license.

Name of the licensee.

Address of licensee.

I Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act 1896 (XII of 1896), as applied to the said Station, hereby license you to possess cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate and holocaine, for use in the exercise of his profession but not for sale from the date of this license to the 31st day of March 191 subject to the following conditions :—

CONDITIONS.

I. The licensee shall be bound by the provisions of the said Excise Act, 1896, and any general or special rules prescribed or which may from time to time be prescribed thereunder.

II. The licensee shall be bound by the general conditions applicable to all licenses as notified by the Resident in Mysore from time to time, so far as they concern him and by the following conditions which are special to this license.

III. The licensee shall obtain cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine from a licensed-vendor in India and shall not receive or have in his possession any stock obtained otherwise.

IV. The licensee shall have in his possession at one time no greater quantity than half an ounce of cocaine, novocaine, eucaine, beta eucaine, beta eucaine lactate or holocaine.

V. The licensee shall, on requisition by the Collector or by any officer duly authorised by the Collector, deliver up his license for amendment or for the issue of a fresh license, or for cancellation.

Dated the day of 191 .

Collector.

FORM 18. Rs. 24 or 12.

License for the retail vend of foreign spirituous and fermented liquors at a Military Canteen established under the "Canteen tenant system."

I Collector of the Civil and Military Station, Bangalore, under the provisions of the Excise Act XII of 1896, as applied to the said Station, in consideration of the payment of a fee of $\frac{\text{Rs. 24}}{\text{Rs. 12}}$ per annum the receipt of which is hereby acknowledged hereby license you to sell foreign spirituous and fermented liquors at the Regimental Institute at during the official year ending 31st March 191 , subject to the following conditions and stipulations to be observed by you the said *viz.*

CONDITIONS.

1. The privilege extends to the sale of foreign liquors excluding "Native" beer to *bona fide* members of the regiment to which the institute is attached

and to persons duly authorised under the Regulations of the Army to use such canteen, to be consumed on the premises and to the sale of any quantity up to two imperial gallons to any such person in one transaction for removal from the premises.

2. The licensee shall effect his sales of liquors only at the canteen or place appointed for the purpose by the military authorities and that he shall not sell liquors at any other place or establish a second place of vend without another separate license.

N. B.—Tenants are allowed to establish a second place of vend without taking a separate license in cases where a portion of a regiment is detached for training and other purposes or is left behind.

3. The licensee is prohibited from storing, keeping or selling any foreign spirituous or fermented liquors under cover of this license in any premises other than those endorsed on the back of the license.

4. The licensee is prohibited from rectifying spirits by purifying, colouring or flavouring or mixing any material therewith.

5. Every receptacle containing spirits flavoured, coloured or compounded in India and received or kept for sale must be conspicuously labelled or branded with the words "spirits compounded in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore." All liquor imported in bulk and bottled, received or kept for sale, must bear a printed label showing clearly the country of manufacture, the name of bottler as entered in his license and the place of bottling.

6. The licensee shall not adulterate or deteriorate any foreign spirituous or fermented liquors sold by him, or sell the same knowing them to have been adulterated or deteriorated, or store or permit to be stored in his canteen any such liquor in an adulterated or deteriorated state.

7. The licensee is prohibited from transferring his license to any other person without the previous sanction of the Collector.

8. The licensee shall sell no imported and locally—made foreign spirits below the minimum strengths of 25° under-proof for whisky, brandy and rum and 35° U. P. for gin.

9. The licensee shall not receive any wearing apparel or other effects in barter for any excisable article the sale of which is covered by this license.

10. The premises for which this license is granted shall be open to inspection by any officer of the Excise Department not below the rank of Sub-Inspector; that the licensee shall at once produce for inspection on demand of any such officer this license and his accounts; that the licensee shall furnish the Superintendent of Excise with such returns and information as may be required by him; and the licensee shall not prevent any Excise Officer of whatever grade from inspecting his canteen.

11. In case of breach of any of the conditions of this license, the Collector shall be competent to impose a fine not exceeding Rs. 20 for every breach of such conditions or to cancel the license.

12. The imposition of a fine or cancellation of this license under the foregoing condition shall not be held to prevent the holder of the license from being prosecuted under the Excise Act.

13. The license shall also be revocable by the Collector for any other cause after fifteen days notice of such revocation.

Dated the 19

Collector.

Places for storing.

The holder of this license is authorised to store foreign spirituous and fermented liquors to be sold under this license at in the from to the 19

Dated the 19

Collector.

COUNTERFOIL.

License for contractors under the Canteen Tenant System.

Articles of vend Foreign, spirituous and fermented liquors

Number of license in register.

Name of contractor.

Name of regiment or unit.

Place of vend.

Current from.

Annual fee payable in advance.

Date.

Place of storage if any sanctioned.

Collector

Signature of Contractor.

R. P. B.—4-1911.—202.

S. 3.—R. P. B.—3-1911.—3,000.

7:275:1894

188

[DRAFT.]

From

The Hon'ble Lieut-Col H. Daly, C.S.I.,
Resident in Mysore

To

The Secretary to the Govt of India,
Dept of Commerce & Industry

No. 2742 S.—Dated Bangalore, the 4th January 1911.

In continuation of my
Fresh letter no. 4067, of the
7th July 1910, to the address of
the Secy to the Govt of India, Finance
Dept., I have the honour to
forward herewith 20 copies of the
Residency Notification no. 23,
of the 26th April 1911, amending
the Excise rules of the Chamarajnagar
Taluq.

I have etc.

H. Daly
For Resident

Note

The future notifications relating to Excise rules and the reports on the working of the Excise system will be submitted to the Secy to the Govt of India, Finance Dept.

(Ref 1901)

S. 3.—R. P. B.—3-1911.—3,000.

7 275/'94

189

[DRAFT.]

From

A. B. Wardlaw Esq ICS
I A D

To

The Inspector General of Excise & Salt in India.

No. 27438-B
D/6 - 2 May 1911.

Sir,

S 178

With reference to my letter no 1349-1363 (Excise) dated 21st February 1911, from the Govt of India in the Dept of Commerce & Industry, I am directed to forward herewith 3 copies of the Residency notification no 23, dated 26th April 1911 amending the Excise rules of the Cantonment of Bangalore.

S 187

I have the
honour
to be
Sir
Your most obedient
servant
I A D

Jm 5.5.11
W 6-5-11
W 5.5.11
K 4/5